



ATTORNEY DOCKET 1094-52

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Jinsuo Xu et al.

Examiner: Cam N. Nguyen

Serial No.: 10/824,390

Group Art Unit: 1754

Filed: April 14, 2004

Date: October 10, 2006

For: SOLID ACID CATALYST AND METHOD OF USING SAME

Mail Stop: AMENDMENT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RESPONSE TO RESTRICTION REQUIREMENT

Sir:

This is in response to the Office Action dated September 27, 2006, requiring restriction between the following two groups of claims:

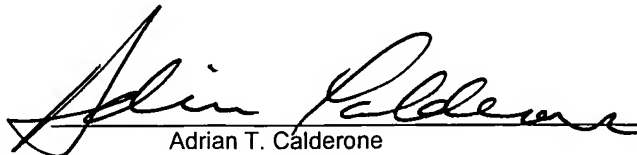
- | | |
|----------|--|
| Group I | Claims 1-17, drawn to a catalyst composition |
| Group II | Claims 18-22, drawn to a hydrocarbon conversion process using a catalyst |

Applicant herein elects the claims of Group I (Claims 1-17) for further prosecution on the merits with traverse.

CERTIFICATION UNDER 37 C.F.R. § 1.8(a)

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop: AMENDMENT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Date: October 10,, 2006


Adrian T. Calderone

Traverse

Claims 18-22 are drawn to a process for the chemical conversion of a hydrocarbon by contacting the hydrocarbon under chemical conversion reaction conditions with the catalyst composition as recited in Claim 1. To perform a satisfactory search of one group of claims would require a search of the other group as well. Therefore, there would be no undue burden upon the Examiner to search both groups of claims.

However, the Office Action dated September 27, 2006 states that the product claimed can be used in a materially different process of using the product "such as in the purification of automotive exhaust gases from an internal combustion engine."

To the contrary, the catalyst of the invention is for use in hydrocarbon conversion processes, as stated in the specification at page 1, lines 5-7, page 3, lines 1-3, and pages 6 and the following pages. Nowhere is it indicated that the catalyst for the invention is for use in the purification of automotive exhaust gases from an internal combustion engine. Without supportive documentation the suggestion in the Office Action that the catalyst of the invention can be put to such use appears to be mere speculation on the part of the Examiner. It is not clear exactly what type of purification is meant. If the purification of exhaust gases referred to in the Office Action concerned the conversion of hydrocarbons it would fall within the scope of Claim 18 and would not be a materially different process. If the purification does not involve the conversion of hydrocarbons, Applicants' request that the Examiner provide some evidence that the catalyst would be effective in such a materially different alternative use.

Accordingly, reconsideration and withdrawal of the restriction requirement are respectfully requested.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Adrian Calderone", with a stylized, cursive script.

Adrian T. Calderone
Reg. No. 31,746
Attorney for Applicants

DILWORTH & BARRESE LLP.
333 Earle Ovington Blvd.
Uniondale, NY 11553
(516) 228-8484

ATC/nep